



Town of Jericho
Jericho Development Review Board

VOL: 331 PG: 894 - 897
INST: 11008298

Via Certified Mail

August 26, 2016

Jennifer Borch
45 Packard Road
Jericho, VT 05465

RECEIVED & RECORDED
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DOCUMENT TYPE: FINDINGS OF FACT & COND
DOCUMENT NUMBER: 11008298
JESSICA R. ALEXANDER, TOWN CLERK
JERICHO, VT

RE: Borch 2 lot PUD at 45 Packard Road Jericho, Vermont

Dear Ms. Borch:

At a meeting of the Jericho Development Review Board held on July 14, 2016 the Board heard your request for a 2 lot PUD on 2.45 acres located in the Village Zoning District.

After review of the application, the Development Review Board **APPROVED** your request. Listed below are the Findings of Fact that were found by the Development Review Board on August 17, 2016:

Findings of Fact:

1. This property is located at 45 Packard Road in the Village Zoning District.
2. The applicant requested a review of a proposed 2 lot Planned Unit Development on 2.45-acre property at 45 Packard Road.
3. Currently the property is a single family residence.
4. The applicant proposes to create a new 1.02 acre parcel (Lot 2), having the remaining 1.43 acres retained by the existing single family residence (Lot 1). Encompassed within Lot 1 and Lot 2, is a proposed 0.61 acre protected open space area.
5. The DRB finds that both lots will be served by the existing curb cut and driveway as shown on plan B1 dated 4/7/16.
6. The DRB finds that there is a proposed building envelope for the new proposed building lot as shown on plan B1 dated 4/7/16.



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7. The DRB finds that the proposed protected open space area as shown on plan B1 dated 4/7/16 conforms to the PUD requirement for the Village Zoning District (25%).
8. The DRB finds that the property line between Lot #1 & Lot #2 will receive a slight jog/shift so that the existing two shed/barns will comply with the required setbacks of the zoning district.
9. The DRB finds that there was testimony provided that the shed/barn shown along the southern boundary (adjoining the property owned by Bryan Lamphere as shown on the site plan) in the protected open space abutting the adjoining neighbor will be removed (torn down).
10. The DRB finds that the shed/barn located in the protected open space along Packard Road is currently an existing nonconforming structure because it does not meet the current setback.
11. The DRB finds that as per section 3.2 of the Town of Jericho Comprehensive Town Plan there is a strong interest in preserving the existing streetscape along Packard Road and the applicant's property.
12. The DRB finds that the south east portion of the property (proposed Lot #2) is located within the River Overlay District. The DRB also finds that the area is in the proposed protected open space and no development or changes are proposed.
13. The DRB finds that the existing and proposed replacement areas for wastewater for Lot #1 are located partially in the protected open space area. The DRB also finds that that is allowed.

CONDITIONS OF APPROVAL

1. That the applicant shall provide a site plan – plat that is reflective of finding #8 that shifts the boundary lot line between Lot #1 & Lot #2 bringing the adjacent structures (barn/sheds) into the required setback requirements for the Village Zoning District. The shifting of this boundary line shall keep the proposed Lots #1 & #2 the same proposed size (Lot #1 1.43 acres & Lot #2 1.02 acres).
2. The applicant shall develop and provide for review legal restrictive language that prohibits expansion or alteration of the non-conforming shed/barn located within the protected open space area along Packard Road that is consistent with the intent of finding #10.



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3. The applicant shall develop and provide for review legal restrictive language that preserves and maintains the existing street scape as mentioned in finding #11.
4. There will be only one shared curb cut between the proposed lots.
5. Any future building or land improvements for proposed Lot #2 will occur within the building envelope as proposed and approved as shown on the site plan and recorded plat.
6. Within 180 days of approval by the Development Review Board, a Mylar copy of the Final Plat shall be submitted for recording by the applicant, signed by the Chair of the Development Review Board and filed with the Jericho Town Clerk.
7. The subdivision Mylar for recording shall include all easement(s), rights-of-way, and building envelopes
8. The purchasers for Lot #1 and Lot #2 shall be shown a copy of this approval prior to any written contract of sale.
9. In accordance with the Town of Jericho Land Use & Development Regulations, Sections 10.3.1., prior to issuance of a Zoning Permit, the applicants shall secure a potable water supply and sewage disposal permit from the State of Vermont for proposed Lot #2.
10. The new proposed shared driveway will be built to the Town of Jericho driveway specification as per section 11.1 of the Town of Jericho Land Use & Development Regulations.
11. Prior to the issuance of a zoning permit the shed/barn located on lot #2 shall be torn down as per finding of fact #9.
12. Any new proposed outdoor lighting shall conform to section 11.11 of the Town of Jericho Land Use & Development Regulation.
13. In accordance with the Town of Jericho Land Use & Development Regulations, Sections 11.12.1. and 11.12.2., all new utilities shall be run underground to any new structures on the property.
14. All other improvements shall adhere to the requirements of the Town of Jericho Land Use & Development Regulations in effect as of this date.
15. The reconfigured lots shall be monumented in accordance with the Town of Jericho Land Use & Development Regulations, Section 11.4.10.

Motion to **APPROVE** the request by Jenifer Borch for approval a 2 lot Planned Unit Development located in the Village Zoning District at 45 Packard Road was made by Jeff York. Seconded by Stephanie Hamilton. Those in favor: All. Opposed: None; Abstained: None. Motion carries 5-0



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In accordance with 24 V.S.A. §4471 any Interested Person may appeal this decision within 30 days by filing a notice of appeal by certified mail, sent to the State Environmental Court with a copy to the Town of Jericho. Address: *Vermont Superior Court, Environmental Division, 2418 Airport Rd., Suite 1, Barre, VT 05641-8701*. The current filing fee for an appeal is \$262.50, payable to Vermont Superior Court, and it must be sent in with the notice of appeal. Anyone with questions about an appeal can call the Court at 802 828-1660.

Sincerely,

A handwritten signature in dark ink, appearing to read "Barry J. King".

Barry J. King, Chair
Jericho Development Review Board

cc: Interested Parties
Town Clerk
Town Planner
Zoning Administrator
Lister - Town of Jericho
Selectboard
